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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/518,264	03/03/2000	Seiji Kozaki	1163-0266P	7506
7590	01/05/2004		EXAMINER	
Birch Stewart Kolasch & Birch			JONES, PRENELL P	
P O Box 747			ART UNIT	PAPER NUMBER
Falls Church, VA 22040-0747			2667	13
DATE MAILED: 01/05/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 09/518,264 Examiner Prenell Jones	Applicant(s) Kozaki et al.	Art Unit 2667
		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on Oct 2, 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-24 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) 1-19, 22, and 23 is/are allowed.

6) Claim(s) 20, 21, and 24 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____	6) <input type="checkbox"/> Other: _____

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Response to Arguments

1. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 U.S.C. § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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3. Claims 20, 21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukasawa in view of Engbersen et al and Johannes et al.

Fukasawa discloses (Abstract, col. 21, line 61 thru col. 22, line 64) multiplexing scheme that includes multiplexing plurality tributary signals that includes section terminating circuits, section overhead that is terminated wherein the section terminating circuit removes section overhead, multiplexers/demultiplexers, (col. 4, line 31 thru col. 5, line 18) predetermined intervals, (col. 23, line 55 thru col. 24, line 29) each path associated with its own individual identification code.

4. Fukasawa is silent on identification codes not including section overhead and main signal path. In analogous art, Engbersen (col. 1, line 1 thru col. 5, line 55, col. 10, line 4 thru col. 13, line 60) discloses multiplexing/demultiplexing multiple tributary streams/signals in a SDH/SONET architecture, frame synchronization, extracting clock/section overhead for maintaining synchronization, and Johannes discloses (Abstract, Fig. 4, 6, 7& 8, col. 1, line 5-55, col. 2, line 1-34) multiplexing plurality of tributary signals associated with (col. 5, line 1-57, col. 7, line 1 thru col. 8, line 55) a main data stream (main line signal/main signal path), guard intervals between tributary lines/tributary circuits, (col. 5, line 1-57) outgoing/incoming tributary signal streams, (col. 8, line col. 10, line 46-68) framer detects the unique identification word pattern of each tributary signal. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have been motivated to implement using a main signal path and multiple paths for communicating data as well as utilizing individualized identification codes as taught by

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Johannes with the teachings of Fukasawa for the purpose of providing reliable and manageable accessibility associated with communicating multiplexed signals (tributary signals) in a communication system, and it would have been further obvious to one of ordinary skill in the art to implement extracting section overhead from identification codes as taught by Engbersen with the combined teachings of Fukasawa and Johannes multiplexing of tributaries for the purpose of maintaining synchronization.

Allowable Subject Matter

5. Claims 1-19, 22, 23 are allowed over prior art.

6. The following is a statement of reasons for the indication of allowable subject matter:

Although the cited art discloses multiplexing scheme that includes multiplexing plurality tributary signals that includes section terminating circuits, section overhead that is terminated wherein the section terminating circuit removes section overhead, multiplexers/demultiplexers, each path associated with its own individual identification code, multiplexing/demultiplexing multiple tributary streams/signals in a SDH/SONET architecture, frame synchronization, extracting clock/section overhead for maintaining synchronization, multiplexing plurality of tributary signals associated with a main data stream (main line signal/main signal path), guard intervals between tributary lines/tributary circuits, outgoing/incoming tributary signal streams, framer detects the unique identification word pattern of each tributary signal, they fail to teach/suggest a plurality of receiving tributary circuits installed as many as the number of

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tributary signals multiplexed onto multiplex signal for supplying the downstream transmission paths with the tributary signals output from the demultiplexer, at least one of the receiving side tributary circuits detecting its frame information and making a decision on its identification code in response to the frame information detected, code phase difference decision circuit for comparing the identification code extracted by code extraction circuit with a predetermined identification code assigned to at least one of plurality of receiving tributary circuits to output a difference result.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell Jones whose telephone number is (703) 305-0630. The examiner can normally be reached on Monday thru Friday from 9:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (703) 305-4378. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Prenell Jones

December 28, 2003


CHI PHAM
SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2600

12/29/03